

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61F2/44 A61B17/70 A61F2/30 A61B17/86

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99/65425 A (SURGICAL DYNAMICS, INC) 23 December 1999 (1999-12-23) figures page 5, line 14 - page 8, line 9 page 9, line 15 - page 10, line 19	1-18
Y		20
X	----- US 5 423 816 A (LIN ET AL) 13 June 1995 (1995-06-13) figures column 2, line 28 - column 4, line 24	1-8, 11, 12, 16-18
A		10, 13, 14
X	----- US 5 423 817 A (LIN ET AL) 13 June 1995 (1995-06-13) figure 1 column 2, line 30 - column 3, line 22	1-8, 11, 12, 16-18
A		13, 14
	----- -/-	



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*G\* document member of the same patent family

Date of the actual completion of the international search

29 April 2005

Date of mailing of the international search report

18 05. 2005

Name and mailing address of the ISA

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Stach, R

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 950 389 A (AESCULAP AG & CO. KG) 20 October 1999 (1999-10-20) figures paragraphs '0042! - '0045!	1-8, 11, 16
A	----- A	13, 14
A	EP 1 273 276 A (FEHLING INSTRUMENTS GMBH) 8 January 2003 (2003-01-08) figure 1 paragraphs '0015!, '0016!, '0021!, '0022!	1, 3, 5-8, 10-15
A	----- A	1, 3, 9
A	EP 0 529 275 A (MAN CERAMICS GMBH) 3 March 1993 (1993-03-03) figures column 2, line 30 - column 4, line 13	
A	----- A	
A	WO 95/19153 A (BEER, JOHN, C; BEER, JACQUELINE, M) 20 July 1995 (1995-07-20)	
X	----- X	1-8, 10-18
X	WO 03/047442 A (MATHYS MEDIZINALTECHNIK AG; STUDER, ARMIN; FRIGG, ROBERT) 12 June 2003 (2003-06-12) figures page 9, paragraph 7 - page 10, paragraph 1	
X	----- X	1-5, 8-13, 15-19, 21, 22
X	FR 2 717 370 A (MOREAU PATRICE; ELBERG JEAN FRANCOIS) 22 September 1995 (1995-09-22)  claims 1, 2; figure 5 page 6, line 6 - page 8, line 9	
X	----- X	1-8, 11, 16, 17
A	US 2003/191470 A1 (RITLAND STEPHEN) 9 October 2003 (2003-10-09) claim 1; figures 3-10 paragraphs '0062! - '0065!	
A	----- A	12
X	FR 2 634 371 A (FLEGEAU GERARD) 26 January 1990 (1990-01-26) figures 1-3, 9 page 6, line 2 - line 30	1-8, 12, 19, 21, 22
Y	----- Y	20
A	US 6 402 750 B1 (ATKINSON ROBERT E ET AL) 11 June 2002 (2002-06-11)	
P, X	----- P, X	1-5, 8, 10, 11
	US 2003/220643 A1 (FERREE BRET A) 27 November 2003 (2003-11-27) figures 6a-6d, 9a, 9b paragraphs '0006!, '0007!, '0029!, '0032!	
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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
E	WO 2004/105577 A (GLOBUS MEDICAL; DAVID, C., PAUL; ANDREW, LEE) 9 December 2004 (2004-12-09) claims 1,2,4,6-10; figures 26-29 page 20, line 18 - page 25, line 28 -----	1-9, 11, 12, 17-22

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP2004/011782

## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☒ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-10, 11-18 in part

Implant for temporary or permanent introduction into a human or animal body of at least one biocompatible material with a shape that is oriented to fulfill one or more first functions, wherein the shape has one or more areas (1, 18) in which, as second function, elasticity or mobility is provided, with the implant having material recesses (7, 19) in the area or areas which serve to locally reduce rigidity and are provided in addition to the shape caused by the first functions  
wherein the implant is a space holder (10) for vertebrae and/or intervertebral discs with space holder and weight-transfer function as first functions,  
and the tube-like body (1) is surrounded by a sleeve consisting of an elastic biocompatible material.

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2. claims: 11-18 in part, 19-22

Implant for temporary or permanent introduction into a human or animal body of at least one biocompatible material with a shape that is oriented to fulfill one or more first functions, wherein the shape has one or more areas in which, as second function, elasticity or mobility is provided, with the implant having material recesses in the area or areas which serve to locally reduce rigidity and are provided in addition to the shape caused by the first functions,  
wherein the implant is a connection rod (20) for pedicle screw arrangements with supporting and connection function as first functions, with especially a system of space holders and pedicle screw connection being provided.

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